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IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO AND OAKLAND DIVISION

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THOMAS FERNANDEZ and LORA SMITH,) Case No. C-06-07339 MJJ
 individually and on behalf of a class of all other)
 persons similarly situated,)

Plaintiffs,) **[PROPOSED] ORDER MODIFYING**
 vs.) **PRETRIAL ORDER**

K-M INDUSTRIES HOLDING CO., INC., et)
 al.,)

Defendants.)

1. Telephonic Case Management Conference to be initiated by Plaintiffs' counsel. Any party seeking a change to the case schedule will file a case management statement of no more than two pages one week prior to the telephonic

November 5, 2007, 2 p.m.

1	conference.	
2	2. Deadline for production of ESI and hard copy documents by all Defendants.	November 7, 2007
3	3. Close of fact discovery	April 25, 2008
4	4. Deadline for hearings on motions for class certification and for summary judgment on statute of limitations grounds	July 1, 2008 (CMC to follow hearing)
5	5. Disclosure of identity of experts and exchange of expert reports	September 12, 2008
6	6. Deadline for rebuttal expert reports	October 3, 2008
7	7. Close of expert discovery (depositions)	October 24, 2008
8	8. Deadline for hearing on dispositive motions	December 9, 2008
9	9. Pretrial Conference	January 27, 2009
10	10. Trial date	February 9, 2009

11 Dated: August 30, 2007

Respectfully submitted,

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13 LEWIS, FEINBERG, LEE,
RENAKER & JACKSON, P.C.14 By: /s/
15 Nina Wasow16 Peter Rukin – CA State Bar No. 178336
17 RUKIN HYLAND DORIA
18 & TINDALL LLP19
20 *Attorneys for Plaintiffs
and the Proposed Class*21 Dated: August 30, 2007

LOVITT & HANNAN, INC.

22 By: /s/
23 Henry Bornstein
24 *Attorneys for Defendant K-M Industries
Holding Co., Inc.; K-M Industries Holding
Co., Inc. ESOP Plan Committee; and CIG
ESOP Plan Committee*25 Dated: August 30, 2007

26 HENNIGAN, BENNETT & DORMAN LLP

27 By: /s/
28 Robert L. Palmer
29 *Attorneys for Defendant William E. and
Desiree B. Moore Revocable Trust; Desiree*

B. Moore Revocable Trust; William E. Moore Marital Trust; William E. and Desiree B. Moore Revocable Trust Generation-Skipping Trust; and Desiree Moore

Dated: August 30, 2007

MORGAN, LEWIS & BOCKIUS LLP

By: /s/
Nicole Diller
*Attorneys for Defendant North Star Trust
Company*

Good cause appearing, the Court orders that dates set forth on the Order dated June 22, 2007, are vacated, and that the management of this litigation is now governed by the dates set forth above.

IT IS SO ORDERED.

Dated: _____

Hon. Martin J. Jenkins
United States District Judge